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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO.       |
|--|-------------|----------------------|-------------------------------|------------------------|
| 09/747,965   | 12/27/2000  | Mari Yajima          | 1538.1007 (JDH)               | 3205                   |
| 21171 7590 02/25/2008<br>STAAS & HALSEY LLP<br>SUITE 700<br>1201 NEW YORK AVENUE, N.W.<br>WASHINGTON, DC 20005 |             |                      | EXAMINER<br>CHAMPAGNE, DONALD |                        |
|  |             |                      | ART UNIT<br>3622              | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>02/25/2008       | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/747,965

**Applicant(s)**

YAJIMA ET AL.

**Examiner**

Donald L. Champagne

**Art Unit**

3622

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 11, 15, 20, 22, 27 and 34-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 11, 15, 20, 22, 27 and 34-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION*****Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 26 November 2007 has been entered.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 11, 15, 20, 22, 27 and 34-42 are rejected under 35 U.S.C. 103(a) as being obvious over Namikata et al. (US005949414A) in view of Ludwig et al. (US005617539A).
4. Namikata et al. teaches (independent claims 1, 15 and 22) a computer system, computer readable storage, and an information providing method, the information providing method comprising:

transmitting a GUI display of a *white board window* (Fig. 3A, and col. 4 lines 48-50) via a computer network (col. 3 line 59 to col. 4 line 3 and col. 4 lines 29-31) providing first display information to a terminal of one registered member (*user 1* in Fig. 3A, where being a member of the meeting reads on registration, col. 5 line 33), said first display information comprising:

a first image to identify said one member himself or herself (the *member icon 3-8* for *user 1* in Fig. 3A, col. 5 lines 29-32) and

a plurality of second images to identify other registered members of the meeting (the *member icon 3-8* for each of the other users in Fig. 3A), wherein each of the other

Art Unit: 3622

members belongs to a same group as said one member (the "group" being any common class, such as members of the engineering profession or workers in some certain industry, that includes the meeting registered members);

receiving, from said terminal of said one member, information indicating selection of said first image (the *user 1* icon selected from *conference member panel 3-6*, col. 5 lines 36-40 and Fig. 3A) from said first display information; and

transmitting a member web page of said selected member to said terminal of said one member (*the user clicks a side conversation start button 3-7*, col. 5 lines 40-42).

5. Namikata et al. does not teach

forming second display information prompting said one member to request a comment from an expert in said group, who is different from the other registered members; and

requesting a comment from the expert by said one member by clicking on an expert request button displayed on a page of the one said member.

Ludwig et al. teaches forming second display information (*Caller Initiator Window 204*, col. 37 lines 63-65) prompting said one member (*Caller 231*) to request a comment from an expert in said group (*London expert 232*), who is different from the other registered members; and requesting a comment from the expert by said one member by clicking on an expert request button (*the ADD button*) displayed on a page of the one said member (where a screen similar to the Fig. 35 *screen*, described in the example as *the Expert's screen*, (col. 36 line 37) reads on "a page of said one member"). Because it adds efficient remote access to expertise, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add Ludwig et al. to the teachings of Namikata et al.

6. In addition, under *KSR v. Teleflex* (82 USPQ 2nd 1385), the combination would be obvious because it uses known techniques to improve a similar system in the same way. Both Namikata et al. and Ludwig et al. teach teleconferencing systems using digital network programming. Both also teach "button" access to collaborators. Namikata et al. teaches a base system that can be improved by adding the easy access to experts taught by Ludwig et al. The essential element to be added to Namikata et al. is the *graphical Rolodex 163* (col. 19 lines 1-10), which provides the capability to easily identify and contact experts as

Art Unit: 3622

well as other collaborators. The addition of the *graphical Rolodex 163* to Namikata et al. would be well within the programming capability of one having ordinary skill in the art.

7. Neither reference teaches that the GUI display of a white board window transmitted via a computer network is a web page. Because Namikata et al. teaches that any type of network and network protocol meeting certain basis requirements may be used (col. 4 lines 39-45), because Ludwig et al. teaches the Internet (called *MLAN*, col. 4 lines 16-19) and because the World Wide Web transmitting Web pages is a widely available network meeting these basic requirements, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add WWW capability to the teachings of Ludwig et al. and Namikata et al.
8. For claim 15, neither of the references teaches a plurality of second images in a tree-like arrangement. However, Ludwig et al. teaches extensive graphics capability (e.g., the hand-drawn figure in Fig. 2B), and there are many conceivable business circumstances in which it would be desirable to display the *Collaboration Initiator Window 204* as a hierarchical organization chart, which would read on a plurality of second images in a tree-like arrangement.
9. Note on interpretation of claim terms Unless a term is given a "clear definition" in the specification (MPEP § 2111.01), the examiner is obligated to give claims their broadest reasonable interpretation, in light of the specification, and consistent with the interpretation that those skilled in the art would reach (MPEP § 2111). An inventor may define specific terms used to describe invention, but must do so "with reasonable clarity, deliberateness, and precision" (MPEP § 2111.01.III). A "clear definition" must establish the metes and bounds of the terms. A clear definition must unambiguously establish what is and what is not included. A clear definition is indicated by a section labeled definitions, or by the use of phrases such as "by xxx we mean"; "xxx is defined as"; or "xxx includes, ... but does not include ...". An example does not constitute a "clear definition" beyond the scope of the example.
10. The instant application contains no such clear definition for the phrases "group". Indeed, "group" is not used in the specification. In the instant case, the examiner is required to give this term its broadest reasonable interpretation. From the context of the claim, "group" is interpreted as any class of people including the meeting membership.

Art Unit: 3622

11. Namikata et al. also teaches claims 11, 20 and 27 when “said first image” (the icon for *user 1*) is relocated (shuffled) in either the *conference member panel* or the *side member panel* of Fig. 3A. That could happen, for example, if *user 1* left and returned to the meeting.
12. Namikata et al. also teaches at the citations given above claims 34-37, where for claim 37 “storing said comment is an inherent property of email systems.
13. Namikata et al. also teaches claims 38-40 at the citations given above, where *side conversation member panel* reads on “third display information” and starting the *side conversation* reads on “input a comment”.
14. Ludwig et al. also teaches claim 41 (col. 18 line 66 *et seq.*, where *The Collaboration Initiator* reads on “an analyzer”) and claim 42 (col. 19 lines 11-16).

### **Conclusion**

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Champagne whose telephone number is 571-272-6717. The examiner can normally be reached from 9:30 AM to 8 PM ET, Monday to Thursday. The examiner can also be contacted by e-mail at [donald.champagne@uspto.gov](mailto:donald.champagne@uspto.gov), and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 571-273-6717.
16. The examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The fax phone number for all *formal* fax communications is 571-273-8300.
17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 3622

18. **ABANDONMENT** – If examiner cannot by telephone verify applicant's intent to continue prosecution, the application is subject to abandonment six months after mailing of the last Office action. The agent, attorney or applicant point of contact is responsible for assuring that the Office has their telephone number. Agents and attorneys may verify their registration information including telephone number at the Office's web site, [www.uspto.gov](http://www.uspto.gov). At the top of the home page, click on Site Index. Then click on Agent & Attorney Roster in the alphabetic list, and search for your registration by your name or number.

18 February 2008

/Donald L. Champagne/  
Primary Examiner, Art Unit 3622